IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

TUESDAY, THE FOURTH DAY OF DECEMBER, TWO THOUSAND AND SEVEN

: PRESENT :

THE HONOURABLE SRI JUSTICE P. SWAROOP REDDY

CRIMINAL PETITION No. 6963 of 2007.

Between:-

Yekula Ramana Reddy S/o. Venkata Reddy.

..Petitioner

(Accused in Crime. No. 73 of 2007 on the file of the Cumbum P.S., Prakasam).

And

The State of A.P., (SHO, Cumbum P.S.), Rep. by its Public Prosecutor, High Court of A.P., Hyderabad.

..Respondent

Complainant in-do-

Petition under Section 438 of Crl.P.C. praying that in the circumstances stated therein, the High Court may be pleased to grant Anticipatory Bail to the Petitioner/Accused in crime NO. 73 of 2007 of Cumbum P.S., and direct the S.H.O., Cumbum Police Station, Prakasam District to release the petitioner on bail in the event of his arrest.

The Petition coming on for hearing, upon perusing the petition and the grounds filed in support thereof and upon hearing the arguments of Sri M. Sree Rama Murthy, Advocate for the Petitioner and of the Public Prosecutor on behalf of the Respondent.

The Court made the following **ORDER :-**

This Criminal Petition is filed under Section 438 Cr.P.C. by the petitioner herein, who is accused in Crime No. 73 of 2007 of Cumbum Police Station, Prakasam District, seeking anticipatory bail.

The case of the de facto-complainant is that he along with the petitioner purchased a poclainer jointly and it was entrusted to the petitioner. Thereafter, the petitioner sold it away.

Even if these allegations are true, the transaction is predominantly civil in nature. According to the petitioner, the complainant himself sold away the poclainer to one Mushtaq Ahmed, S/o. B. P. Ismail of Mangalore, Karnataka, on 28.09.2005 and falsely implicated him.

Considering the circumstances, the prosecution is directed to find out as to whether the poclainer was sold to the said Mushtaq Ahme, S/o. B.P. Ismail, age 40

years, R/o. Usha Kiran Apartments, C-Block, Door No. 005, Falnir Road, Mangalore.

Post after two weeks. Till then, the petitioner shall not be arrested.

Sd/- P. SESHAGIRI RAO,
ASSISTANT
REGISTRAR

// TRUE COPY //

for ASSISTANT
REGISTRAR

To
1. The I Additional District & Sessions Judge, Prakasam Division at Ongole.
2.The Station House Officer, Cumbum Police Station, Prakasam District.
3.Two CCs to the Public Prosecutor, High Court of A.P., Hyd(OUT).
4.One CC to Sri M. Sree Rama Murthy, Advocate(OPUC).
5.One Spare copy.
TKK

HIGH COURT

PSR.J

DT.04-12-2007.

BAIL ORDER.

CRL.P.NO. 6963 OF 2007.

STAY OF ARREST TILL THEN.

DRAFTED BY TKK
DT.06-12-2007.

HIGH COURT

PSR.J

DT.04-12-2007.

BAIL
ORDER

CRL.P.NO. 6963 OF 2007.

STAY OF ARREST TILL THEN.